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1) Judgment in a Criminal Case

U.S. DISTRICT COURT FASTERN DISTRICT ARKANSAS

(Rev. 09/11) Judgment in a Criminal Case

Sheet 1

AO 245B

United S	TATES DISTRICT CO	OURT JUL 12	Λ
EAST	ERN District of ARKANSAS	JAMES WINCOFF By:	////
UNITED STATES OF AMERICA	) JUDGMENT I	N A CRIMINAL C	DEP CLERK
v. ERWIN SHANE STAMPER	Case Number: USM Number:	4:12CR00216-001 17303-074	SWW
THE DEFENDANT:	) J. Blake Hendrix Defendant's Attorney	(appointed)	
X pleaded guilty to count(s) 1 of the indictment			
which was accepted by the court.			
The defendant is adjudicated guilty of these offenses:			
Title & Section  18 U.S.C. § 111(a)(1)  and (b)  Nature of Offense  Assaulting an officer or em  a Class C Felony	aployee of the United States,	Offense Ended 03/04/2012	<u>Count</u> 1
The defendant is sentenced as provided in pages 2 the Sentencing Reform Act of 1984.	through 6 of this judgm	ent. The sentence is imp	osed pursuant to
☐ The defendant has been found not guilty on count(s)			
X Count(s) 2 X is	are dismissed on the motion of	f the United States.	
It is ordered that the defendant must notify the Un or mailing address until all fines, restitution, costs, and spec the defendant must notify the court and United States attor-	nited States attorney for this district with cial assessments imposed by this judgment rney of material changes in economic of July 12, 2013	nin 30 days of any change ent are fully paid. If order circumstances.	of name, residence, ed to pay restitution,
	Date of Imposition of Judgment	n Wight	
	Susan Webber Wright, Un Name and Title of Judge	ited States District Judge	
	7-12-	2013	

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AO 245B

(Rev. 09/11) Judgment in Criminal Case

Sheet 2 — Imprisonment

ANT: Erwin Shane Stamper

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1				

DEFENDANT: CASE NUMBER:

4:12CR00216-001 SWW

#### **IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

ONE HUNDRED & SIXTY-EIGHT (168) MONTHS to be served consecutively with the term of imprisonment imposed in 4:11CR00196-001 JMM in the Eastern District of Arkansas.

The court makes the following recommendations to the Bureau of Prisons:

IF DEFENDANT IS ELIGIBLE AND IF APPROPRIATE FOR DEFENDANT, the Court recommends that defendant participate in mental health treatment with an emphasis on anger management, educational/vocation programs and non-residential substance abuse treatment during incarceration.

X	The defendant is remanded to the custody of the United States Marshal.					
	The defendant shall surrender to the United States Marshal for this district:					
	□ at a.m. □ p.m. on					
	☐ as notified by the United States Marshal.					
	The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:					
	$\square$ before 2 p.m. on					
	as notified by the United States Marshal.					
	as notified by the Probation or Pretrial Services Office.					
RETURN						
have	executed this judgment as follows:					
	Defendant delivered on to					
ı	, with a certified copy of this judgment.					
	UNITED STATES MARSHAL					
	Ву					
	DEPUTY UNITED STATES MARSHAL					

AO 245B (Rev. 09/11) Judgment in a Criminal Case

Sheet 3 — Supervised Release

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DEFENDANT: CASE NUMBER: Erwin Shane Stamper 4:12CR00216-001 SWW

# SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

## THREE (3) YEARS to be served concurrently with the term imposed in 4:11CR00196-001 JMM.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- X The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- X The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

#### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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(Rev. 09/11) Judgment in a Criminal Case Sheet 3A — Supervised Release

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DEFENDANT: CASE NUMBER: Erwin Shane Stamper 4:12CR00216-001 SWW

# ADDITIONAL SUPERVISED RELEASE TERMS

- 1. Defendant shall contact the U. S. Probation Office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons and comply with all mandatory and standard conditions that apply.
- 2. Defendant is not a legal resident of this district. Therefore, the period of supervised release is to be administered by the district where defendant is a legal resident and/or the district where a suitable release plan has been developed.
- 3. The defendant shall participate, under the guidance and supervision of the probation officer, in a mental health treatment program with an emphasis on anger management, which may include psychological testing, outpatient counseling, and residential treatment.
- 4. Defendant shall participate, under the guidance and supervision of the U. S. Probation Officer, in a substance abuse treatment program which may include testing, out-patient counseling, and/or residential treatment. Further, defendant shall abstain from the use of alcohol throughout the course of any treatment.

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AO 245B (Rev. 09/11) Juligin Sheet 5 — Criminal Monetary Penalties

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DEFENDANT: CASE NUMBER:

Erwin Shane Stamper

4:12CR00216-001 SWW

## **CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

TO	TALS \$	Assessment 100		Fine \$	\$	Restitution
	The determina after such dete		deferred until	. An Amended J	udgment in a Crim	inal Case (AO 245C) will be entered
	The defendan	t must make restitutio	n (including communi	ty restitution) to the	e following payees in	the amount listed below.
	If the defenda the priority or before the Un	nt makes a partial pay der or percentage pay ited States is paid.	ment, each payee shal ment column below.	l receive an approx However, pursuant	imately proportioned to 18 U.S.C. § 3664	d payment, unless specified otherwise in the paid of t
<u>Nan</u>	ne of Payee		Total Loss*	Restitu	ition Ordered	<b>Priority or Percentage</b>
TO:	ΓALS	\$		\$		
	Restitution as	mount ordered pursua	nt to plea agreement	\$		
	The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).					
	The court de	termined that the defe	ndant does not have th	ne ability to pay into	erest and it is ordered	d that:
	☐ the interest	est requirement is wai	ved for the  fir	ne 🗌 restitution		
	☐ the interest	est requirement for the	e 🗌 fine 🗌	restitution is modif	ied as follows:	

<sup>\*</sup> Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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AO 245B Sheet 6 — Schedule of Payments

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DEFENDANT: CASE NUMBER: Erwin Shane Stamper 4:12CR00216-001 SWW

### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows: X Lump sum payment of \$ 100 due immediately, balance due in accordance  $\square$  C,  $\square$  D, ☐ D, or ☐ F below); or Payment to begin immediately (may be combined with  $\Box$  C, В (e.g., weekly, monthly, quarterly) installments of \$ over a period of C Payment in equal (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or over a period of D (e.g., weekly, monthly, quarterly) installments of \$ (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from E imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or Special instructions regarding the payment of criminal monetary penalties: F Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court. The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed. Joint and Several Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate. The defendant shall pay the cost of prosecution. The defendant shall pay the following court cost(s): The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.